# EXHIBIT 1

August 21, 2020

#### **VIA ELECTRONIC MAIL**

Martie Kutscher Clark Gibson Dunn & Crutcher LLP 1881 Page Mill Road Palo Alto, CA 94304-1211 mkutscherclark@gibsondunn.com

Brian M. Lutz Kristin A. Linsley Gibson Dunn & Crutcher LLP 555 Mission Street, Suite 3000 San Francisco, CA 94105 blutz@gibsondunn.com klinsley@gibsondunn.com

Joshua S. Lipshutz Gibson Dunn & Crutcher LLP 1050 Connecticut Ave NW Washington, DC 20036 ilipshutz@gibsondunn.com

Orin Snyder Gibson Dunn & Crutcher LLP 200 Park Avenue New York, NY 10166 osnyder@gibsondunn.com

In re Facebook, Inc. Consumer Privacy User Profile, Re:

Northern District of California Case No. 3:18-md-02843-VC

#### Dear Counsel:

Plaintiffs write pursuant to paragraph 6.2 of Pretrial Order No. 10: Protective Order to challenge the confidentiality of certain documents Facebook has produced and designated confidential in this action. Specifically, Facebook has designated a number of documents confidential that it produced in its litigation with Six4Three LLC and are now publicly available at https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebooksealed-exhibits.pdf.

Listed below are the bates numbers of the documents Facebook designated as confidential in this action and the bates numbers of their counterparts that are publicly available:

Facebook- Produced Documents	Publicly Available Counterparts PDF Page of Sealed Exhibits https://dataviz.nbcnews.com/projects/20191104-facebook-leaked- documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00188612 FB-CA-MDL- 00189441	Exhibit 43 at 797/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00227873	Exhibit 172 at 3466/3799

	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00177962	Exhibit 29 at 646/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00178254	Exhibit 34 at 704/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00178146	Exhibit 35 at 708/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00183235	Exhibit 37 at 721/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00179356	Exhibit 39 at 747/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00198496	Exhibit 42 at 794/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00183209	Exhibit 46 at 810/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00183225	Exhibit 48 at 820/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf

FB-CA-MDL- 00183320	Exhibit 53 at 890/3799
	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00183181	Exhibit 54 at 894/3799
	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
ED CA MDI	Exhibit 56 at 899/3799
FB-CA-MDL- 00185088	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
ED CA MDI	Exhibit 61 at 950/3799
FB-CA-MDL- 00195572	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
ED CA MDI	Exhibit 62 at 956/3799
FB-CA-MDL- 00188486	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL-	Exhibit 165 at 3413/3799
00188479	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
ED CA MDI	Exhibit 63 at 965/3799
FB-CA-MDL- 00183250	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL-	Exhibit 64 at 972/3799
00183245	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00191995	Exhibit 65 at 978/3799
	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf

FB-CA-MDL- 00198323	Exhibit 73 at 1031/3799
	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL-	Exhibit 76 at 1048/3799
00198268	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
ED CA MDI	Exhibit 79 at 1102/3799
FB-CA-MDL- 00198236	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
ED CA MDI	Exhibit 80 at 1107/3799
FB-CA-MDL- 00197181	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
ED CA MDI	Exhibit 81 at 1112/3799
FB-CA-MDL- 00189595	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
ED CA MDI	Exhibit 90 at 1245/3799
FB-CA-MDL- 00233426	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
ED CA MDI	Exhibit 92 at 1259/3799
FB-CA-MDL- 00228319	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
ED CA MDI	Exhibit 104 at 1355/3799
FB-CA-MDL- 00199181	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00203259	Exhibit 108 at 1374/3799
	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf

FB-CA-MDL
FB-CA-MDL- 00198226 https://dataviz.nbcnews.com/projects/20191104-facebook-leaked- documents/assets/facebook-sealed-exhibits.pdf  Exhibit 116 at 1413/3799  FB-CA-MDL- 00200219 https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-
https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf  Exhibit 116 at 1413/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-
FB-CA-MDL- 00200219 https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-
00200219 https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-
Exhibit 119 at 1441/3799 FB-CA-MDL-
https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
Exhibit 124 at 1455/3799
FB-CA-MDL- 00202384 https://dataviz.nbcnews.com/projects/20191104-facebook-leaked- documents/assets/facebook-sealed-exhibits.pdf
Exhibit 129 at 1459/3799
FB-CA-MDL- 00202952 https://dataviz.nbcnews.com/projects/20191104-facebook-leaked- documents/assets/facebook-sealed-exhibits.pdf
Exhibit 130 at 1482/3799 FB-CA-MDL-
https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
Exhibit 135 at 1545/3799
FB-CA-MDL- 00203710 https://dataviz.nbcnews.com/projects/20191104-facebook-leaked- documents/assets/facebook-sealed-exhibits.pdf
Exhibit 139 at 1570/3799 FB-CA-MDL-
https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf

#### KELLER ROHRBACK L.L.P. BLEICHMAR FONTI & AULD LLP

FB-CA-MDL- 00200215	Exhibit 150 at 3231/3799
	https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00203464	Exhibit 151 at 3236/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00187051	Exhibit 161 at 3392/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00202398	Exhibit 162 at 3400/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00179201	Exhibit 169 at 3442/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00176216	Exhibit 203 at 3707/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf
FB-CA-MDL- 00178469	Exhibit 204 at 3712/3799  https://dataviz.nbcnews.com/projects/20191104-facebook-leaked-documents/assets/facebook-sealed-exhibits.pdf

Paragraph 6.2 of the protective order requires the parties to meet and confer by phone of videoconference within two weeks of this letter. Plaintiffs look forward to meeting and conferring on or before that date.

Regards,

Matthew Montgomery mmontgomery@bfalaw.com